

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

WILLIAM BEAUMONT HOSPITAL,

Plaintiff/Counter-Defendant,

v.

Case No. 11-15528

Hon. Gerald E. Rosen

FEDERAL INSURANCE COMPANY,

Defendant/Counter-Plaintiff.

_____ /

JUDGMENT

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on March 13, 2013

PRESENT: Honorable Gerald E. Rosen
Chief Judge, United States District Court

The Court having this date issued an opinion and order granting Plaintiff's motion for judgment on the pleadings, and having determined that Plaintiff is entitled as a matter of law to a declaration that Defendant is obligated to provide indemnification coverage under the insurance policy at issue in this suit for Plaintiff's settlement of the underlying *Cason-Merenda* litigation,

NOW, THEREFORE, the Court hereby DECLARES that Plaintiff's settlement of the claims asserted against it in the *Cason-Merenda* antitrust suit constitutes a "loss" as defined in Policy No. 8101-8892 issued by Defendant to Plaintiff, and that Defendant therefore is obligated to indemnify Plaintiff for this loss under the terms of the Policy. In

light of this determination, the Court further ORDERS, ADJUDGES, and DECREES that Defendant's amended counterclaim is DISMISSED WITH PREJUDICE.

s/Gerald E. Rosen
Chief Judge, United States District Court

Dated: March 13, 2013

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on March 13, 2013, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5135